



**PALM BEACH COUNTY
SHERIFF'S OFFICE**

FLSS Exemption Sheet

X	FSS	Description
Law Enforcement Investigative Exemptions	<input type="checkbox"/> 119.071(2)(c)	Active criminal intelligence/active criminal investigative information.
	<input type="checkbox"/> 112.533(2)(a)	Open Internal Affairs investigation.
	<input type="checkbox"/> 119.071(2)(d)	Surveillance techniques, procedures, and personnel; inventory of law enforcement resources, policies, or plans pertaining to mobilization, deployment, or tactical operations.
	<input type="checkbox"/> 119.071(3)(a), 281.301 AGO-2015-06	Security and fire Safety, Security and Fire Safety Systems, Surveillance video recordings
	<input type="checkbox"/> 119.071(2)(b)	Criminal intelligence/investigative information from a non-Florida criminal justice agency.
	<input type="checkbox"/> 943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.
	<input type="checkbox"/> 119.0712(2)	Personal information contained in a motor vehicle record.
	<input type="checkbox"/> 316.066(2)(a)	Crash reports are confidential for a period of sixty (60) days after filing.
	<input type="checkbox"/> 119.071(5)(g)	Biometric identification (fingerprints, palm prints, and/or footprints).
	<input type="checkbox"/> 119.071(4)(c)	Undercover personnel.
	<input type="checkbox"/> 119.071(2)(f)	Confidential informants (CIs).
	<input type="checkbox"/> 119.071(2)(e)	Confession.
	<input type="checkbox"/> 760.40(2)(a)	DNA analysis results.
Public Information Exemptions	<input type="checkbox"/> 365.171(12)(a)	Identity of 911 caller or person requesting emergency services.
	<input checked="" type="checkbox"/> 119.071(2)(h)	Identity of victim of sexual battery, lewd and lascivious offense upon a person less than 16 years old, child abuse, or other sexual offense.
	<input type="checkbox"/> 787.06(9), 119.071(2)(h)(1)	Human trafficking victims.
	<input type="checkbox"/> 985.04(1)	Juvenile offender records.
	<input type="checkbox"/> 119.071(5)(a)(5)	Social Security numbers held by agency.
	<input type="checkbox"/> 119.071(5)(b)	Bank account, debit, and/or credit card numbers; credit report(s) held by an agency.
	<input type="checkbox"/> 119.071(2)(i)(j)	Assets of a crime victim.
	<input type="checkbox"/> 406.135	Autopsy photographs and video/audio recordings of an autopsy held by the medical examiner.
	<input checked="" type="checkbox"/> 395.3025(7)(a), 456.057(7)(a)	Medical information.
	<input checked="" type="checkbox"/> 394.4615(7)	Mental health information.
Employee Information Exemptions	<input type="checkbox"/> 119.071(4)(d)(2)(a)	Home address, telephone, date of birth, or photos of active/former LE personnel, spouses, and children.
	<input type="checkbox"/> 1002.221	Education records/transcripts.
	<input type="checkbox"/> 382.025	Birth certificate.
	<input type="checkbox"/> 119.071(1)(a)	Interview/polygraph examination questions and answers.
	<input type="checkbox"/> 394.4615(7)	Psychological testing/mental health information.
	<input type="checkbox"/> 119.071(4)(b), 112.08(7)	Physical fitness exams/medical information regarding employees.
	<input type="checkbox"/> 112.0455(11), 440.102(8)	Confidential Under Drug Free Workplace Act, confidential under drug testing program.
Other	<input type="checkbox"/> Click here to enter text.	Other: Click here to enter text.
	<input type="checkbox"/> Click here to enter text.	Other: Click here to enter text.

Tracking Number:	19-08-1367	Date:	08/13/2019
Case Number/Reference:	18-135922	Specialist Name/ID:	Hall / 9205

CASE NO. 18135922

P A L M B E A C H C O U N T Y S H E R I F F' S O F F I C E

O F F E N S E R E P O R T

PAGE 2

CASE NO. 18135922

DISPOSITION: OPEN

REPORT NUMBER: 1
WEATHER: CLEAR

ON OCTOBER 22ND, 2018, AT APPROXIMATELY 1045 HOURS, LT. FERRANTE WAS CONTACTED BY THE VILLAGE OF ROYAL PALM BEACH IN REFERENCE TO A POSSIBLE EXPLOITATION OF TWO ELDERLY ADULTS, [REDACTED].

[REDACTED] ARE CURRENTLY RESIDING IN A RETIREMENT HOME, RUSTIC RETREAT ALF, LOCATED AT 1120 N FEDERAL HWY IN BOYNTON BEACH FL 33435. THE ADMINISTRATOR OF THE RUSTIC RETREAT ALF, BENOIT MAILLOUX, IS THE TRUSTEE AND BENEFICIARY OVER THE [REDACTED] HOUSE, LOCATED AT [REDACTED] AND IS CURRENTLY IS THE PROCESS OF RENOVATING AND SELLING [REDACTED] HOUSE. THE VILLAGE OF ROYAL PALM BEACH BECAME AWARE OF THIS AFTER THEY FOUND THAT PERMITS WERE NOT SUBMITTED FOR RENOVATIONS FOR [REDACTED] HOUSE. THE VILLAGE WAS AWARE THAT THE [REDACTED] HAS SOME MENTAL HEALTH PROBLEMS WHICH LED THEM TO BEING ADMITTED INTO AN ASSISTED LIVING FACILITY. THEY FOUND IT UNUSUAL THAT MR. MAILLOUX WAS MADE THE TRUSTEE AND BENEFICIARY, DUE TO THE FACT THAT HE IS THE ADMINISTRATOR OF THE RETIREMENT HOME AND THE [REDACTED] DO HAVE LIVING FAMILY MEMBERS . THE VILLAGE FELT IT WAS IT WAS THEIR RESPONSIBILITY TO REPORT THIS MATTER TO BOTH DCF AND THE SHERIFF'S OFFICE TO DETERMINE IF THERE WAS ANY WRONG DOING. PER F.S.S 429.27 (1B)THE ADMISSION OF A RESIDENT TO A FACILITY AND HIS OR HER PRESENCE THEREIN SHALL NOT CONFER ON THE FACILITY OR ITS OWNER, ADMINISTRATOR, EMPLOYEES, OR REPRESENTATIVES ANY AUTHORITY TO MANAGE, USE, OR DISPOSE OF ANY PROPERTY OF THE RESIDENT; NOR SHALL SUCH ADMISSION OR PRESENCE CONFER ON ANY OF SUCH PERSONS ANY AUTHORITY OR RESPONSIBILITY FOR THE PERSONAL AFFAIRS OF THE RESIDENT, EXCEPT THAT WHICH MAY BE NECESSARY FOR THE SAFE MANAGEMENT OF THE FACILITY OR FOR THE SAFETY OF THE RESIDENT. (2) A FACILITY, OR AN OWNER, ADMINISTRATOR, EMPLOYEE, OR REPRESENTATIVE THEREOF, MAY NOT ACT AS THE GUARDIAN, TRUSTEE, OR CONSERVATOR FOR ANY RESIDENT OF THE ASSISTED LIVING FACILITY OR ANY OF SUCH RESIDENT'S PROPERTY. PER F.S.S 429.17 (1B) AND (2) MR. MALLIOUX SHOULD NOT BE THE TRUSTEE OR BENEFICIARY OF THE [REDACTED] HOUSE. THIS CASE IS TOT TO FINANCIAL CRIME UNIT FOR FURTHER INVESTIGATION.

D/S T. SMITH #31257
10/22/18 @1154 HRS
MO/2498 10/26/18

printed by Employee Id #: 9205 on August 09, 2019 02:57:14PM

911:

SCHEME/DEFRAUD

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DISPOSITION: OPEN

DIVISION: DETECTIVE

SIGNAL CODE: 16A CRIME CODE: 2 NON CRIME CODE: CODE: 260A 11/06/18 MONDAY
ZONE: R22 GRID: RPB DEPUTY I.D.: 7913 NAME: BURLAGE ASSIST: TIME D 1036 A 1036 C 1209
OCCURRED BETWEEN DATE: 10/22/18 , 1045 HOURS AND DATE: 10/22/18 , 1102 HOURS

EXCEPTION TYPE:

INCIDENT LOCATION: 11498 OKEECHOBEE BD APT. NO.:
CITY: ROYAL PALM BEACH STATE: FL ZIP: 33411

NO. OFFENSES: 01 NO. OFFENDERS: UK NO. VEHICLES STOLEN: 0 NO. PREMISES ENTERED: 0
LOCATION: OTHER

NO. VICTIMS: 02 NO. ARRESTED: 0 FORCED ENTRY: 0

OFFENSE NO. 1 FLORIDA STATE STATUTE: 817 034 CIS CODE 260A

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ON THURSDAY, 11/01/2018, I WAS ASSIGNED THIS CASE FOR FURTHER INVESTIGATION. A COMPLAINT WAS MADE THAT THE VILLAGE OF ROYAL PALM BEACH PERMIT DIVISION DISCOVERED THAT A HOME WAS BEING REPAIRED WITHOUT THE PROPER PERMITS. WHILE INVESTIGATING THE PERMIT ISSUE THEY DISCOVERED THE HOUSE WAS BEING REPAIRED BY BENOIT MAILLOUX WHO HAD BEEN NAMED THE HOMEOWNER'S, [REDACTED] AND [REDACTED], TRUSTEE. BENOIT IS THE OWNER/OPERATOR FOR THE ASSISTED LIVING FACILITY (ALF) IN WHICH [REDACTED] ARE CURRENTLY RESIDING. CONCERN WAS RAISED THAT THE [REDACTED] MAY LACK CAPACITY TO CONSENT AND MAY BE THE VICTIMS OF ELDERLY EXPLOITATION.

I ATTEMPTED TO MAKE CONTACT WITH PETER BOSCO, ADULT PROTECTIVE INVESTIGATOR (API) WITH THE DEPARTMENT OF CHILDREN AND FAMILIES (DCF), VIA PHONE TO DISCUSS HIS INVESTIGATION OF WHICH HE INITIATED ON 10/23/2018. NO CONTACT WAS MADE AND HIS VOICEMAIL ADVISED THAT HE WAS OUT OF TOWN TILL THE 13TH OF NOVEMBER. WHILE REVIEWING API BOSCO'S REPORT I OBSERVED THAT HE MET WITH [REDACTED] AND [REDACTED] ON 10/30/2018 AT THE RUSTIC RETREAT ASSISTED LIVING FACILITY (ALF). IN API BOSCO'S NOTE HE NOTED THAT BOTH [REDACTED] AND [REDACTED] HAD CAPACITY AND BOTH WERE AWARE OF THE SITUATION REGARDING THEIR HOME. PER THE REPORT IT NOTED THAT THEY HAD EVEN TRIED TO COMPENSATE BENOTT FINANCIALLY FOR HIS ASSISTANCE AND HE WOULD NOT ACCEPT IT.

ON TUESDAY, 11/06/2018, I MET WITH [REDACTED] AT THEIR CURRENT RESIDENCE LOCATED AT 1120 N FEDERAL HWY. IN THE CITY OF BOYNTON BEACH. I ENTERED THEIR ROOM WHICH THEY SHARE AND IMMEDIATELY NOTICED THAT IT WAS TIDY AND FREE OF ODORS. [REDACTED] WAS SITTING IN A RECLINER WHILE [REDACTED]

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P A L M B E A C H C O U N T Y S H E R I F F ' S O F F I C E PAGE 2
CASE NO. 18135922 SUPPLEMENT 1 O F F E N S E R E P O R T CASE NO. 18135922
DISPOSITION: OPEN

WAS LYING UPON THE BED. I INTRODUCED MYSELF TO THE [REDACTED] AND EXPLAINED WHY I WAS THERE. I INQUIRED TO THE LIVING ARRANGEMENTS AND THEIR ARRANGEMENTS WITH BENOIT MAILLOUX. BOTH [REDACTED] AND [REDACTED] APPEARED TO BE ALERT AND ORIENTED TO TIME AND PLACE. ADDITIONALLY, THEY WERE ABLE TO RECALL EVENTS AND APPEARED TO UNDERSTAND WHAT WAS GOING ON IN REGARDS TO THEIR FINANCES AND THEIR HOME. BOTH [REDACTED] AND [REDACTED] EXPRESSED THEIR GRATITUDE FOR BENOIT'S ASSISTANCE.

[REDACTED] AND [REDACTED] EXPLAINED THE CURRENT SITUATION AS FOLLOWS: THEY ADVISED THAT THEY OWNED A PROPERTY IN ROYAL PALM BEACH. THEY EXPLAINED THAT THEY HAD TO LEAVE TO GO TO NEW YORK AND WHILE THEY WERE GONE FOR THE LAST 5 YEARS THE TOWN OF ROYAL PALM BEACH BEGAN TO ASSESS THEM FINES FOR THE YARD MAINTENANCE NOT BEING DONE. THEY FURTHER ADVISED THAT THE FINES TURNED TO LIENS AND THAT THEY LEARNED THAT THERE WAS APPROXIMATELY \$300,000.00 IN LIENS AGAINST THEIR PROPERTY. THEY BELIEVED THAT THEY WERE HOMELESS IN THIS SITUATION AND THAT WAS HOW THEY CAME TO LIVE AT THE RUSTIC RETREAT ALF. THEY EXPLAINED THAT UPON MOVING IN BENOIT BEGAN TO HELP THEM ASSESS THEIR FINANCIAL POSITION AND ASSISTED THEM IN HIRING AN ATTORNEY TO ASSIST IN THE RECOVERY OF THEIR HOUSE AND SETTING UP A TRUST FOR THEIR CARE AND EXPENSES. THEY BOTH AGREED THAT THEY WANTED TO NAME BENOIT AS THEIR POA IN ASSISTING THEM IN THEIR FINANCES AND TO HANDLE THINGS WITH THEIR HOME. BOTH [REDACTED] AND [REDACTED] TOLD ME THAT BENOIT WAS TRANSPARENT WITH HIS DEALINGS WITH THEM AND THEY WERE FULLY AWARE OF THE SITUATION REGARDING THEIR FINANCES.

I THEN MET WITH BENOIT MAILLOUX WHO ADVISED THAT HE IS THE CURRENT MANAGER OF THE RUSTIC RETREAT ALF. BENOIT FURTHER ADVISED THAT WHEN THE [REDACTED] CAME TO LIVE IN THE ALF THEY HAD BELIEVED THAT THEY HAD NOTHING LEFT. BENOIT ADVISED THAT HE WORKED WITH THE [REDACTED] TO LOCATE THEIR FINANCIAL INSTITUTIONS AND HAVE THEM SET UP A TRUST. BENOIT FURTHER ADVISED THAT HE WAS UNAWARE OF THE HOME THAT THE [REDACTED] OWNED UNTIL A TAX BILL ARRIVED WHICH EXPLAINED THAT THEY WERE ABOUT TO LOSE THEIR HOME DUE TO NOT PAYING TAXES AND BECAUSE THEY HAD APPROXIMATELY \$300,000.00 IN LIENS. BENOIT ADVISED THAT THEY PAID THE TAXES ON THE PROPERTY AND THEN ENLISTED THE HELP OF AN ATTORNEY TO ASSIST IN LIQUIDATING THE PROPERTY SO THAT THEY COULD PLACE THE MONEY INTO THEIR TRUST. BENOIT ADVISED THAT HE MEETS WITH THE [REDACTED] DAILY AND DISCUSSES THEIR FINANCES WITH THEM. BENOIT PROVIDED ME THE NAME OF THE [REDACTED] DOCTOR, [REDACTED] AND A CONTACT NUMBER.

I ATTEMPTED TO MAKE CONTACT WITH [REDACTED] AT THE NUMBER PROVIDED AND LEFT A MESSAGE FOR HIM TO CALL ME BACK.

THIS CASE IS OPEN PENDING CONTACT WITH [REDACTED]

DET. AARON BURLAGE #7913

11-7-2018 @ 1345 HRS.

TRANS. VIA EMAIL/COPY/PASTE: 11/08/2018/MDR/#6405

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P A L M B E A C H C O U N T Y S H E R I F F ' S O F F I C E PAGE 1
CASE NO. 18135922 SUPPLEMENT 2 O F F E N S E R E P O R T CASE NO. 18135922
DISPOSITION: UNFOUNDED
DIVISION: DETECTIVE

911:

SCHEME/DEFRAUD

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DISPOSITION: UNFOUNDED
DIVISION: DETECTIVE

SIGNAL CODE: 16A CRIME CODE: 2 NON CRIME CODE: CODE: 260A 12/03/18 MONDAY
ZONE: R22 GRID: RPB DEPUTY I.D.: 7913 NAME: BURLAGE ASSIST: TIME D 1036 A 1036 C 1209
OCCURRED BETWEEN DATE: 10/22/18 , 1045 HOURS AND DATE: 10/22/18 , 1102 HOURS

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LOCATION: OTHER

NO. VICTIMS: 02 NO. ARRESTED: 0 FORCED ENTRY: 0

OFFENSE NO. 1 FLORIDA STATE STATUTE: 817 034 CIS CODE 260A

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AS OF MONDAY, 12/03/2018, I HAVE NOT RECEIVED ANY RETURN RESPONSE FROM

HOWEVER, BASED ON MY COMMUNICATION WITH THE [REDACTED] ON 11/06/2018, I BELIEVE THE [REDACTED] OF SOUND MIND TO MAKE DECISIONS REGARDING THEIR FINANCIAL AFFAIRS. THIS BELIEF IS BASED ON AN EXTENSIVE CONVERSATION WITH THEM IN WHICH THEY ARE AWARE OF THEIR FINANCIAL SITUATION AND AWARE OF THE PLANS AS THEY HAVE CURRENTLY BEEN LAID OUT. THE [REDACTED] APPEARED TO BE WELL CARED FOR AND THEIR NEEDS ARE BEING MET. THE ARRANGEMENTS MADE BETWEEN BENOIT MAILLOUX WERE DONE LEGALLY WHILE IN THE PRESENCE OF AN ATTORNEY WHILE THE [REDACTED] WERE OF SOUND MIND TO MAKE THE DECISIONS. IN ADDITION THE DECISIONS MADE HAD BEEN THEIR OWN AND WITHOUT ANY OUTSIDE INFLUENCE.

BASED ON THE ABOVE STATED FACTS I FIND THIS COMPLAINT TO BE UNFOUNDED.
DET. AARON BURLAGE #7913
12-03-2018 @ 1430 HRS.
TRANS. VIA EMAIL/COPY/PASTE: 12/06/2018/MDR/#6405

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